



STATE OF ARIZONA

JANET NAPOLITANO
GOVERNOR

OFFICE OF THE GOVERNOR
1700 WEST WASHINGTON STREET, PHOENIX, AZ 85007

MAIN PHONE: 602-542-4331
FACSIMILE: 602-542-7601

July 2, 2007

The Honorable Jim Weiers
Speaker of the House
Arizona House of Representatives
1700 West Washington
Phoenix, Arizona 85007

Re: House Bill 2020: railroad siting authority; eminent domain

Dear Speaker Weiers:

Today I vetoed House Bill 2020, which would have allowed the Arizona Corporation Commission to review a railroad's decision to site new rail lines.

While railroads must use their eminent domain authority responsibly, the fact remains that railroads are regulated primarily, if not exclusively, at the federal level. *See* 49 U.S.C. § 10501(b)(2) (creating exclusive federal jurisdiction over the "construction, acquisition, operation, abandonment or discontinuance" of most types of rail tracks, even if located exclusively in one state).

In the near future, we must aggressively explore a host of new transportation options, including commuter rail and more efficient rail delivery of goods and other commodities, including ethanol. In that process, the Executive Branch will insist that railroads take into account environmental and other important community concerns. House Bill 2020 would only complicate those efforts.

For these and other reasons, I have vetoed House Bill 2020.

Yours very truly,

A handwritten signature of Janet Napolitano in dark ink, followed by a horizontal line.
Janet Napolitano
Governor


JN:TAN/jm

cc: The Honorable Timothy Bee
The Honorable Marian McClure

Passed the House February 14, 20 07

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting



Speaker of the House
Pro Tempore




Chief Clerk of the House


Passed the Senate April 26, 20 07

by the following vote: 26 Ayes,

0 Nays, 4 Not Voting



President of the Senate



Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

_____ day of _____, 20 _____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of _____

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this _____ day of _____, 20 _____

at _____ o'clock _____ M.

Secretary of State

H.B. 2020

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House June 19, 2007

by the following vote: 43 Ayes,

13 Nays, 4 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate June 19, 2007

by the following vote: 26 Ayes,

0 Nays, 4 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

20th day of June, 2007

at 12:03 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this _____ day of _____

at VETO o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 2nd day of July, 2007

at 2:43 o'clock P. M.

[Signature]
Secretary of State

H.B. 2020